

1 THE HONORABLE MARSHA J. PECHMAN
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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 KENNETH I. DEANE,

9 Plaintiff,

10 vs.

11 PACIFIC FINANCIAL GROUP, Inc., a
12 Washington corporation; MEGAN P. MEADE,
13 an unmarried woman; NICOLAS B. SCALZO,
14 a married man; NICOLAS B. SCALZO an
unmarried man; JAMES C. MCCLENDON, a
married man; JAMES C. MCCLENDON and
JOAN A. MCCLENDON, a marital community;
GAETAN T. SCALZO, a married man;
GAETAN T. SCALZO and SHERRIE
SCALZO, a marital community,

15 Defendants.

16 NO. 2:19-cv-00722-MJP

17 SECOND ORDER ON DEFENDANTS'
MOTION FOR APPROVAL OF
SUFFICIENCY OF SECURITY, TO STAY
ENFORCEMENT OF JUDGMENT
PENDING APPEAL, AND FOR ORDER
DIRECTING DEPOSIT OF SECURITY
INTO COURT'S REGISTRY

18 THIS MATTER having come before the Honorable Marsha J. Pechman for hearing upon
the Defendants' Motion for Approval of Sufficiency of Security, to Stay Judgment Pending
Appeal, and for an Order Directing Deposit of Security into Court's Registry (Dkt. Nos. 186
and 197), and after the Court having examined the records and files, and being fully advised in
the premises; now therefore:

19 IT IS HEREBY ORDERED by the Court that:

20 1. The Parties' stipulated proposed amount of security of \$1,950,000.00 is sufficient
21 to secure Plaintiff Kenneth Deane from any loss that may result from the stay;

22 2. Defendants are directed to deposit security in the amount of \$1,950,000.00 into
23 the Court's Registry;

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SECOND ORDER ON DEFS' MTN FOR APPROVAL OF
SECURITY, STAY, AND ORDER DIRECTING DEPOSIT
INTO REGISTRY – PAGE 1
(NO. 2:19-cv-00722-MJP)

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3. Upon Defendants' deposit of \$1,950,000.00 into the Court's Registry, the Judgment, awarded attorney's fees and costs, and post-trial interest against them are stayed pending the duration of Defendants' appeal to the Ninth Circuit; and

4. This Order terminates Defendants' Motion for Approval of Sufficiency of Security, etc. (Dkt. No. 186.) and Stipulated Motion regarding the same (Dkt. No. 197).

DATED this 12th day of March, 2021.

Wassily Kandinsky

Marsha J. Pechman
United States District Judge

Presented by:

GORDON REES SCULLY MANSUKHANI LLP

By: /s/ Nicole E. Demmon

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**SECOND ORDER ON DEFNS' MTN FOR APPROVAL OF
SECURITY, STAY, AND ORDER DIRECTING DEPOSIT
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(NO. 2:19-cv-00722-MJP)**

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